

1 Scott Sagaria (State Bar No.217981)  
Elliot Gale (State Bar No. 263326)  
2 Joe Angelo (State Bar No. 268542)  
SAGARIA LAW, P.C.  
3 2033 Gateway Place, 5<sup>th</sup> Floor  
San Jose, California 95110  
4 Telephone: (408) 279-2288  
Facsimile: (408) 279-2299

5 Attorneys for Plaintiff  
6  
7  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

11 JOSEPH RODRIGUEZ,  
12 Plaintiff,  
13  
14 vs.  
15 EQUIFAX, INC.; et. al.,  
16 Defendants.

Federal Case No.: 5:16-CV-04669-HRL

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT EQUIFAX,  
INC. PURSUANT TO FEDERAL RULE  
OF CIVIL PROCEDURE 41(A)(1)**

17  
18 **PLEASE TAKE NOTICE** that Plaintiff Joseph Rodriguez, pursuant to Federal Rule of Civil  
19 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Equifax, Inc. as to all claims in this  
20 action, with prejudice.

21 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

22 41(a) Voluntary Dismissal

23 (1) By the Plaintiff

24 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any  
25 applicable federal statute, the plaintiff may dismiss an action without a court  
26 order by filing:

27 (1) a notice of dismissal before the opposing party serves either an answer  
28

1 or a motion for summary judgment.

2 Defendant Equifax, Inc. has neither answered Plaintiff's Complaint, nor filed a motion for  
3 summary judgment. Accordingly, the matter may be dismissed against it for all purposes and  
4 without an Order of the Court.

5  
6 Dated: November 7, 2016

Sagaria Law, P.C.

7  
8 By: /s/ Elliot W. Gale  
Elliot W. Gale  
9 Attorneys for Plaintiff  
Joseph Rodriguez  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28